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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,164	10/23/2003	Debra Weissman	003797.00674	8355

28319 7590 04/21/2006

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EXAMINER

HARPER, LEON JONATHAN

ART UNIT	PAPER NUMBER
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2166

DATE MAILED: 04/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/692,164

Applicant(s)

WEISSMAN ET AL.

Examiner

Leon J. Harper

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This office action is in response to application 10692164 filed on 10/23/2003.

Claims 1-19 are pending.

#### ***Claim Objections***

Claim 2 is objected to because of the following informalities: Claim 2 recites "wherein the identity claims comprises phone numbers included in the at least two contact records." Examiner suggest "wherein the identity claims included in the at least two contact records comprise phone numbers". Appropriate correction is required.

Claim 3 is objected to because of the following informalities: Claim 3 recites "wherein the identity claims comprises addresses included in the at least two contact records." Examiner suggest "wherein the identity claims included in the at least two contact records comprise addresses". Appropriate correction is required.

Claim 17 is objected to because of the following informalities: Claim 17 recites, "Assigns priorities to the order of at least some the elements of the composite record." Examiner suggests, "Assigns priorities to the order of at least some of the elements of the composite record". Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 2003/0126156 (hereinafter Stoltenberg) in view of 5684990 (hereinafter Boothby).

As for claim 1, Stoltenberg discloses: (a) comparing identity claims of at least two contact records (See paragraph 0027 note: table one is not an exhaustive list of fields that can be used in comparing records). (c) displaying a dialogue box that identifies the possible duplicate contact records and includes an option for merging the possible duplicate records (See figure 3 and paragraph 0038 note: the merge tools is what returns potential duplicates via a user interface).

Although Stoltenberg does not materially differ from the claimed invention, the disclosure of (b) identifying possible duplicate contact records is more explicitly indicated in Boothby. Boothby discloses: (b) identifying possible duplicate contact records (See column 4 line 65- column 5 line 5). It would have been obvious to an artisan of ordinary skill in the pertinent art to have incorporated the teaching of Boothby into the system of Stoltenberg. The modification would have been obvious because many times user will store contact information in devices such as pda's or handheld computers and will also store the same or different information relating to the same entity in another location such as the office (See Boothby column 1 lines 16-22), or the existence of multiple records common to a single entity will result in "fragmented records" (See Stoltenberg paragraph 0005).

As for claim 2, the rejection of claim 1 is incorporated, and further Stoltenberg discloses: wherein the identity claims comprises phone numbers included in the at least two contact records (See paragraph 0028 and see table 5 for all information that is shown in a record which can be used in a customizable comparison).

As for claim 3, the rejection of claim 1 is incorporated, and further Stoltenberg discloses: wherein the identity claims comprises addresses included in the at least two contact records (See paragraph 0028 and see table 5 for all information that is shown in a record which can be used in a customizable comparison).

As for claim 4 the rejection of claim 1 is incorporated, and further Boothby discloses: wherein a is performed after that data in a composite record is synchronized with data in a store (See column 5 lines 45-55 note that the composite record= status file, which is synchronized and then used again. Also note that this file has to be stored in memory which is a store since it may be accessed by an application).

As for claim 5, the rejection of claim 1 is incorporated, and further Stoltenberg discloses: wherein (a) is performed after receiving a command from a user (See paragraph 0037).

As for claim 6, the rejection of claim 1 is incorporated, and further Boothby discloses: wherein the at least two contact records consists of at least two composite records (See column 5 lines 47-49 one record per pair of synchronized records = one composite record per contact record).

As for claim 7, the rejection of claim 6 is incorporated, and further Stoltenberg discloses receiving a command to merge the possible duplicate records (See paragraph 0045); , and linking any publisher records that were linked to the at least two composite records to the single composite record (See paragraph 0055 note: all the new registration information is linked based on the merged records).

Moreover, Boothby discloses: merging the contact data from the at least two composite records into a single composite record (See column 6 lines 40-45, note that once the copying is done you now have two copies of the composite files).

As for claim 8, the rejection of claim 7 is incorporated, and further Boothby discloses: wherein the single composite record is one of at least two composite records (See column 6 lines 40-45, note that once the copying is done you now have two copies of the composite files, and See column 8 lines 47-51 note: the workspace and the status file are separate but become 1).

As for claim 9 the rejection of claim 1 is incorporated, and further Stoltenberg discloses: wherein the at least two contact records are part of a computer operating system (See paragraph 0025 note: the computer/CPU must have an operating system).

As for claim 10 Stoltenberg discloses: receiving an unmerge command from a user (See paragraph 0049 "unmerge button") identifying at least one publisher record that the user wishes to unmerge from the original composite record (See paragraph 0049 note: "last group will be unmerged")

Boothby discloses: creating a new composite record (See column 5 lines 59-61), Linking the at least one publisher record identified in b to the new composite record (See column 5 lines 63-67), unlinking the at least one publisher record identified in b

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from the original composite record (See column 6 lines 40-47). It would have been obvious to an artisan of ordinary skill in the pertinent art to have incorporated, the teaching of Boothby into the system of Stoltenberg. The modification would have been obvious because records can be specified in many ways and linking and unlinking of records helps to maintain the integrity of the system (See Boothby column 1 lines 47-54, and see Stoltenberg paragraph 0007).

As for claim 11, the rejection of claim 10 is incorporated, and further Stoltenberg discloses: wherein a comprises receiving the selection of a menu selection item that is displayed in a general user interface that also displays contact data (See paragraph 0049 "unmerge button" and see paragraph 0038 "contact data").

As for claim 12 the rejection of claim 10 is incorporated, and further Boothby discloses: wherein the publishers records each correspond to a store (See column 5 lines 10-14, records correspond to handheld records and desktop records both stores since they are files which are accessed by an application) and B includes receiving a command from the user that identifies one or more stores that that user does not want to synchronize with the original composite record (See column 8 lines 47-51 just set the flag to absent and it will not be synchronized).

As for claim 13, the rejection of claim 10 is incorporated, and further Boothby discloses: wherein the original composite record is part of a computer operating system



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(See column 5 lines 46-47 note: status file is saved in memory on the computer, and also note: the computer/CPU must have an operating system).

As for claim 14 Stoltenberg discloses: (b) comparing the first order to the order of second contact data having elements arranged in a second order and corresponding to the contact (See paragraph 0036), and (c) when the first order is different from the second order, assigning an order to elements of a composite record corresponding to the contact (See paragraph 0036 note records are resorted based on score).

While Stoltenberg does disclose receiving first contact data having elements arranged in a first order and corresponding to a contact the disclosure is more explicit in Boothby. Boothby discloses (a) receiving first contact data having elements arranged in a first order and corresponding to a contact (See column 5 lines 1-6 records can be organized based on a unique ID). It would have been obvious to an artisan of ordinary skill in the pertinent art to have incorporated, the teachings of Boothby into to the system of Stoltenberg. The modification would have been obvious because Boothby works with many different embodiments included structured list (See column 8 lines 58-64), and having an order to the records means that there is a central structure and you are using only a set number of fields for comparison (See Stoltenberg paragraph 0008).

As for claim 15 the rejection of claim 14 is incorporated, and further Stoltenberg discloses: wherein the order assigned in C is received from a user (See paragraph 0046, user can move ahead in the list bypassing records).

As for claim 16 the rejection of claim 14 is incorporated, and further Stoltenberg discloses: wherein the order assigned in c is determined by at least one rule (See paragraph 0036 calculating a score is a rule).

As for claim 17 the rejection of claim 16 is incorporated, and further Stoltenberg discloses: wherein the at least one rule assigns priorities to the order of at least some the of the composite based on the source of the corresponding data (See paragraph 0036 elements are worked in order and therefore stored in that same order).

As for claim 18, the rejection of claim 14 is incorporated, and further Boothby discloses: wherein the first contact data is included within a publisher record (See column 5 lines 22-28 not handheld record).

As for claim 19 the rejection of claim 18 is incorporated, and further Boothby discloses: wherein the second contact data is included within a publisher record (See column 5 lines 22-28 note: desktop record).


**Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leon J. Harper whose telephone number is 571-272-0759. The examiner can normally be reached on 7:30AM - 4:00Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LJH  
Leon J. Harper  
April 16, 2006

  
MOHAMMAD ALI  
PRIMARY EXAMINER